

REMARKS

Claims 1-22 are pending in this application. In the July 13, 2004 Office action, the Examiner requires restriction to one of the following inventions:

I. Claims 1-11, drawn to a process, classified in class 244, subclass 129.5.

II. Claims 12-22, drawn to an apparatus, classified in class 244, subclass 129.4.

The Examiner further requires restriction to one of the following patentably distinct species of the claimed invention:

A: Wherein storing energy is by charging at least one capacitor.

B: Wherein storing energy is by charging a rechargeable battery.

The Examiner further requires that upon election of species A or B, applicant further elect one of the following patentably distinct species of the claimed invention:

C: Wherein sensing the motor rotational speed is by measuring the frequency of a Hall effect signal.

D: Wherein sensing the motor rotational speed is by measuring the back emf of the motor.

The Examiner further requires that upon election of species A or B, applicant further elect one of the

following patentably distinct species of the claimed invention:

E: Wherein reducing the first current is by reducing the voltage supplied to the motor.

F: Wherein reducing the first current is by pulse width modulating a power signal to the motor.

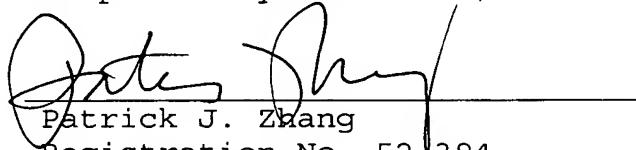
In order to advance prosecution, applicant hereby elects invention I, and species A, C, and E. The claims readable upon applicant's election are claims 1-3, 5-8, and 10. This election is expressly without waiver of the right to prosecute and obtain claims to the non-elected subject matter either in this application or in other applications claiming priority herefrom.

Having satisfied applicant's obligation under 35 U.S.C. § 121 to make an election, applicant has also amended claims 12-22 so that these claims invoke 35 U.S.C. § 112, sixth paragraph. Accordingly, applicant respectfully requests that the process and systems claims of this application be examined together under the election of species A, C, and E (as previously elected in applicant's April 23, 2004 Reply). The claims readable on species A, C, and E from claims 12-22 are claims 12-14, 16-19, and 21 (see applicant's April 23, 2004 Reply).

Applicant further notes that in the February 23, 2004 Office action, the Examiner stated that independent

claim 1 is generic to method claims 1-11 and that independent claim 12 is generic to apparatus claims 12-22. Therefore, applicant respectfully submits that if claim 1 is allowed, applicant will be entitled to consideration of currently non-elected claims 4, 9, and 11, and that if claim 12 is allowed, applicant will be entitled to consideration of currently non-elected claims 15, 20, and 22.

Respectfully submitted,



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